



POWER HOUR

Chat with a PREA Expert

115.54

Third-Party Reporting

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IMPACT/JUSTICE

NATIONAL
PREA
RESOURCE
CENTER



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National PREA Resource Center Mission

The mission of the PRC is to assist adult prisons and jails, juvenile facilities, lockups, community corrections, and tribal facilities in their efforts to eliminate sexual abuse by increasing their capacity for prevention, detection, monitoring, responses to incidents, and services to victims and their families.

Logistics

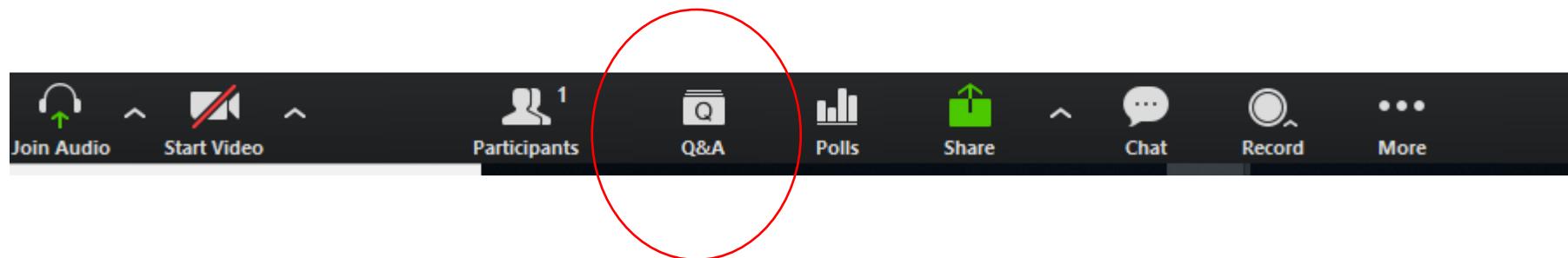
Technical support

- Please contact the ZoomPro Webinar support line at (888-799-9666)– select “2” when prompted to get support with technical difficulties.
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Logistics

Submitting questions

- To submit a question during the webinar, use the Q&A feature on your webinar toolbar, as seen below.
- Presenters will address the questions at the end of the presentation.



COVID-19 disclaimer

This webinar is designed to provide guidance related to compliance with **Standard 115.54** in general, and will not specifically address concerns or answer questions related to COVID-19.

The PREA Resource Center (PRC) recognizes that coming into compliance or maintaining compliance with this Standard and others during the COVID-19 crisis presents specific challenges that you may not have faced before. If you have questions related to compliance during this crisis, please direct them to the PRC via “Contact Us,” and they will be shared with the PREA Management Office (PMO).

Or you may contact the PMO directly at PREACompliance@usdoj.gov.



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Standard requirements



§ 115.54, 115.154, 115.254, 115.354

- The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.

Purpose of the Standard

To detect and ultimately prevent sexual abuse and sexual harassment by creating greater accountability and a robust reporting culture. This means ensuring there is an easily accessible mechanism for people outside of a confinement facility — third parties such as family, friends, advocates, and others — to report sexual abuse or sexual harassment taking place inside the facility that comes to their attention. Since third parties often feel safer and more comfortable making a report than inmates, residents, or detainees inside the facility, ensuring third parties have a means to do so increases reporting generally, and means more sexual abuse and sexual harassment are detected and ultimately prevented.

Implementation

- An agency must establish a method for receiving reports of sexual abuse and sexual harassment from third parties, and must ensure that the reports are dealt with in the same way as other reports of sexual abuse or sexual harassment. This means ensuring that any identified or potential victims are safe and receive any necessary support services, and that reports are thoroughly investigated.
- The agency must publicize information on third-party reporting. This can be done through a website; by postings in public areas of a facility, such as the lobby or visitation room; through printed pamphlets that are readily available to the public; or by any other means that will publicly distribute the information.

Implementation (cont.)

- Implicit in Standard 115.54 is the requirement that the public can reasonably access the information on how to make a report of sexual abuse or sexual harassment on behalf of an inmate. It is not sufficient for an agency to be willing and able to receive such reports. Further, it is not sufficient for the public to have the general ability to utilize generalized agency contact information (such as a main contact number) to make such a report. Rather, the specific methods to make such reports must be readily available and reasonably conspicuous to the public.

Note: Standard 115.51(c) states: “Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.”

Challenges

- Creating a method of third-party reporting that is easily found and accessed by the public. Facilities that do not have their own website must find mechanisms that are visible to the public in common areas such as visitation rooms, the lobby or entrance, bulletin boards, closed circuit television message boards, or by other consistently visible means.
 - Facilities that have their own website and those that share a website with local or county government must pay particular attention to ensuring that the third-party reporting mechanism is conspicuous and easily accessible for individuals wanting to report abuse.
 - A reporter should not have to navigate through multiple or complex layers of web pages searching for the reporting method, and must be able to easily find the information on how to report.
 - The reporting mechanism must be specific and dedicated to third-party reporting and not simply a general contact for someone in the facility with no indication that it can be used for reporting sexual abuse and sexual harassment.

Challenges (cont.)

- Ensuring that the explanation of how to submit a report of sexual abuse or sexual harassment on behalf of inmates, residents, and detainees is clear, well-written, and easily understandable by lay persons.
- Whether the information is posted on a website or at the facility, or contained in a printed pamphlet or brochure, it should be written in clear, concise, and consistent language so that the public understands the exact steps that must be taken to make a report of sexual abuse or sexual harassment to facility leadership.

Best practices

- Agencies should choose the means by which they will accept third-party reports of sexual abuse and sexual harassment allegations. The Standard does not require mailings. The agency may, in its discretion, make the information readily available through a website, postings at the facility, printed pamphlets or flyers, or other appropriate means.
 - Agencies generally post the information on a website and provide a telephone number specifically designed to receive third-party reports, a reporting form that can be filled in online, or both. Note that either method must be designed specifically to receive sexual abuse and sexual harassment reports – it is not sufficient to provide general phone numbers or information forms. If the reporting information is placed on the agency website, the agency should place the information in a highly visible, conspicuous location on the website to ensure the public can easily access it.
 - Agencies may also choose to put posters or printed brochures in public areas of a facility, commonly the lobby and/or visitation areas.
 - Agencies often use both a website and on-site materials to convey the information to ensure that the information is readily available.

Best practices (cont.)

- Agencies should establish clear procedures for ensuring that the reports are received and acted on appropriately by any affected facility. Agencies should ensure that the PREA Coordinator is aware of all third-party reports and can either distribute the reports or oversee the distribution of the reports to the appropriate facility. Facilities should designate a person to receive reports and should include the PREA Compliance Manager in the process.
- In juvenile facilities, it is recommended that the facilities provide notice of the third-party reporting procedures to parents and legal guardians, plus attorneys and other relevant family members (e.g., a grandparent who may have cared for the youth, etc.). This could be done by mailing the information to individuals, including the information with disseminated visitation policies or other materials provided to families, or at visitation times when family members and others are present.

Audit issues

- Determining whether the agency allows and accepts third-party reports of both sexual abuse and sexual harassment.
- Examining the method by which the agency distributes information about third-party reporting, to ensure appropriate dissemination to the public in an easily accessible and understandable format that can be found in reasonably conspicuous and appropriate locations.
- Reviewing the information that is publicly disseminated to ensure that third parties are provided full and appropriate information that clearly describes how to report allegations of sexual abuse and sexual harassment on behalf of an inmate, resident, or detainee.
- Analyzing documentation of reports received from third parties over the previous 12 months and reviewing the agency response to the reports to ensure that investigations were begun for all allegations.

Resources

- Frequently Asked Questions (FAQs) on the PREA Resource Center (PRC) website: <https://www.prearesourcecenter.org/frequently-asked-questions>
- The Department of Justice has issued extensive guidance concerning the PREA Standards. Visit the PREA Resource Center FAQ page and search for guidance under the Standard 115.54 for the related FAQ responses provided by Department of Justice. The one FAQ to date is as follows:

October 26, 2015. How must agencies “distribute publicly” information on how third parties can report allegations of sexual abuse and sexual harassment, in accordance with Standard 115.54? <https://www.prearesourcecenter.org/node/3787>

Resources

“Where to begin” on the PRC website:

<https://www.prearesourcecenter.org/implementation/prea-standards/where-to-begin>

Search the PRC library to access this publication:

April 15, 2015. Untangling the PREA Standards: Outside Reporting, Confidential Support, and Third-Party Reporting Fact Sheet <https://www.prearesourcecenter.org/resource/untangling-prea-standards-outside-reporting-confidential-support-and-third-party-reporting>

Archived webinars on the PRC website:

April 16, 2015. Untangling the PREA Standards: Outside Reporting, Confidential Support, and Third-Party Reporting <https://www.prearesourcecenter.org/resource/untangling-prea-standards-outside-reporting-confidential-support-and-third-party-0>

Resources

- Always check the following sources for excellent training on PREA:
 - National Institute of Corrections - <http://nicic.gov/training/prea>
 - End Silence: The Project on Addressing Prison Rape - <https://www.wcl.american.edu/impact/initiatives-programs/endsilence/>

Questions & Answers



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WEBINAR

Power Hour: Chat with a PREA Expert on Standard 115.32

STANDARDS:

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PRC Website Revision: Overview and Q&A

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FEATURED RESOURCE

WEBINAR

Developing a PREA-Compliant Language Access Plan for Incarcerated...

STANDARDS:

115.16, 115.21, 115.51, 115.53

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STANDARDS:

115.401

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Request for assistance

Please fill out the form below in order to request PREA-related training and/or technical assistance for your jurisdiction or agency. The more detail provided in your request will improve the PREA Resource Center's (PRC) ability to meet your needs. For jurisdictions less familiar with PREA, the PRC would encourage you to browse the resources on the [Where to begin page](#). If your jurisdiction has general questions or comments for the PRC you can communicate those through the [Contact us form](#).

To submit information on complaints or concerns about the conduct of a DOJ-certified PREA auditor, please refer to the [Auditor feedback form](#).

The PRC collects the information below in order to efficiently route and respond to inquiries. While all fields are not required, please fill out as much information as possible so that we may better assist you.

Request assistance

Jurisdictions can request assistance by completing a web form on the PRC website under the “Implementation” tab and clicking “Request for assistance” under “Training”.

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For more information about the National PREA Resource Center, visit www.prearesourcecenter.org.

To ask a question, please visit our [Contact us](#) page.

Thank you!



Good luck!

Notice of federal funding and federal disclaimer

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